

REMARKS/ARGUMENTS

Claims 1-30 are pending in the present application. Claims 1, 12, 22, and 27 are independent claims.

The Examiner is respectfully requested to reconsider his rejections in view of the following remarks.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 5, 6, 9, and 13-21 are now allowed in response to the Reply filed on March 31, 2004. Thus, claims 1-21 have been allowed by the Examiner in the present application.

Rejection Under 35 U.S.C. § 102

Claims 22-30 stand rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 5,852,651 to Fischer et al. (hereinafter Fischer). This rejection is respectfully traversed.

At the outset, Applicants respectfully submits that Section 2131 of the MPEP states:

"A claim is anticipated only if each and every element in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claims." *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USQP2d 1913, 1920 (Fed. Cir. 1989).

It is respectfully submitted that the Fischer fails to disclose each and every element as defined in the claim.

Synopsis of Fischer

Fischer discloses a method and system for sectorizing coverage of a cellular communications area. Specifically, Fischer discloses dividing a cell area into a plurality of microcell areas 100. Fischer further teaches that a plurality of microcell antenna units 102 are dispersed within the cell area, each located in a respective one of the microcell areas. Furthermore, Fischer's system includes a plurality of microcell base station units 106 for the cell area, at a common location. Each of these base station units is connected to a corresponding one of the microcell antenna units via an optical fiber 104. Also, Fischer discloses that all of the base station units are connected via T1 lines to a common mobile telecommunication switching office (MTSO) 110.

According to Fischer, a base station unit (whose configuration is illustrated in Fig. 3) receives microcell traffic in the form of radio frequency (RF) signals via interface circuitry 22. The base station unit combines the RF signal and synthesizes a digitized RF signal using digital transmittal/receiver unit 130. This digitized RF signal is sent

to the corresponding microcell antenna unit over the optical fiber. Thereafter, the microcell antenna unit (whose configuration is illustrated in Fig. 8) converts the digital signal into analog RF signals, which is transmitted to a corresponding mobile unit in the microcell via the main antenna 26. See Fischer at column 5, lines 1-20; column 9, line 65 - column 10, line 31; and column 13, lines 1-20.

Fischer further discloses that a microcell antenna unit receives RF signals from a mobile unit within the microcell area, using main antenna 26 and diversity antenna 26'. Thereafter, the microcell antenna unit filters and digitizes the RF signal, and the digitized signal is sent to the corresponding base station unit via the optical fiber. The base station unit then conditions the signal, and sends it to the MTSO via the T1 line.

Fischer Fails to Disclose Each Claimed Feature

Independent claims 22 and 27 recite transmitting signals, which simulate a radiofrequency signal received by intelligent antennas, to the inputs of a radio frequency receiver that bypass the antennas. Applicants respectfully submit that this feature is not disclosed by Fischer.

In the Office Action, the Examiner presumably relies upon Fischer's microcell antenna unit 102 to provide a teaching of the claimed radiofrequency receiver. However, Fischer fails to disclose that any of the signals transmitted to the microcell antenna unit simulates signals that are received by the antennas in that unit. According to Fischer, the microcell antenna unit either receives microcell traffic signals from a base station unit 106 to be transmitted to a mobile unit using its main antenna, or uses its antennas to receive an RF signal from a mobile unit. It is respectfully submitted that these signals do not simulate signals that are received from antennas in the microcell unit. Instead, these signals are either actually received from the antennas, or destined to be transmitted using the antennas.

Since the Examiner has failed to provide a teaching in Fischer of transmitting signals to a receiver that simulate signals received by antennas, it is respectfully submitted that Fischer fails to teach each and every feature of independent claims 22 and 27. At least for this reason, it is respectfully submitted that independent claims 22 and 27 are in condition for allowance. Furthermore, it is respectfully submitted that claims 23-26 and 28-30 are allowable at least by virtue of their dependency on claims 22 and 27.

Thus, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

In view of the above remarks, it is respectfully submitted that the pending claims are allowable over the cited prior art of record. Thus, Applicants respectfully request the Examiner to issue a Notice of Allowance for the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is strongly encouraged to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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